



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

the movement upon the continent of Europe by the formation of an international association. Let the American physicians now take it up, and in our respective communities, and wherever and whenever we can, lend our voices and encouragement to aid in the carrying forward of this, the grandest movement of the twentieth century; and let it be done with a steadfast purpose that in this connection our thoughts and energies shall be engaged to insure its early fulfillment.

In order that this may be a national movement and far-reaching in character, and that it may influence the public sentiment of every State and county in the land, let a nucleus be formed in each State by the appointment of one or more live men interested in the cause, who will organize a State Association which will hold a meeting at or about the time and place of the annual meeting of every State Medical Association. Let the members of each County Association annually send delegates to a meeting of the State Medical Association for Aid in the Prevention of War, and the State Association elect delegates to the annual meeting of the American Medical Association for Aid in the Prevention of War, such meeting to be held at the time and place of the meeting of the American Medical Association. At such meetings the session would require but one evening, and should be held in conjunction with the public of the community in which the sessions are held and in a public place provided by the philanthropic people interested in the sentiments of universal peace. At such meetings the business should be transacted and short papers read or speeches delivered by members of the profession and other speakers for the purpose of arousing the public and the profession at large, that through their efforts and interest the public may be influenced to a more general appreciation of the grandeur of one of the greatest movements of this or any other age in the history of the world.

In this movement the medical profession will take an important part, lending its influence to hasten the day when the nations of the world will mould their cannon into implements of commerce, and convert their men-of-war into a merchant marine. In that day of the triumph of humane principles, the armies and navies of the world will find employment in the more honorable arts of peace.

### The Judiciary and Arbitration.

*Address of Judge William W. Morrow of California at the National Peace Congress, April 17.*

*Mr. President, Ladies and Gentlemen:* I am on this program, so I am informed by the Chairman, because I am from the Pacific, and supposed to be in favor of pacific measures [laughter and applause]; but I should lamentably fail in my duty if I did not improve this opportunity to testify in behalf of mankind that they are seeking to take the same course in all cases of distress, whether arising from war, earthquake or fire. We received in San Francisco from all parts of this world millions of dollars to relieve us from the distress that came from an overwhelming conflagration. This same sentiment, widespread as it is, is a sentiment in favor of having peace instead of war and having homes in place of desolation.

The program announces that the discussion this afternoon will be directed to international arbitration from

the legislative and judicial points of view. From a legislative point of view, objection has been made that there is no international law or law of nations in the legal sense as a rule of civil conduct prescribed and enforced by a superior, and it is contended, in the absence of such a law, that there is no substantial foundation upon which international arbitration can be permanently and satisfactorily based; and, further, that there is no international legislative body clothed with authority to prescribe a rule of civil conduct for the nations of the world.

The best answer to this objection is that there is an international law founded upon principles of universal justice, recognized by the civilized nations and administered by their courts. In Great Britain this international law has been declared by the courts to be part of the Common Law and the inherited right of every citizen of that country. In this country we not only recognize this law as part of our inheritance with the Common Law, but it is expressly recognized in the Constitution of the United States, and Congress is authorized by that great instrument to enforce it in certain specified cases by appropriate legislation. Further than this, the Supreme Court of the United States has declared and expounded this law as part of that system of justice which alone can make a nation great and powerful.

But the question arises, How may this law of nations be amended and enlarged to meet the varying conditions and the wants of nations coming into a peaceful union to support and administer the principles of universal justice? The law we have has been wrought out through long experience and established custom.

A very good law to begin with and a sound basis upon which to build a great superstructure, as is well illustrated by the laws of commerce, and those laws are based upon customs under which the great mining industries of this country have been developed and their enormous wealth poured into the channels of commerce for the benefit of mankind. But the time comes when the lawgiver must anticipate the wants of the people, he must bring down the tablets of law from Mt. Sinai, from the hearts of mankind, and deliver them to the nations of the world. The wisdom of the lawmaker must be brought into the service, and this is one of the propositions that we now urge upon the Hague Conference, in the International Parliamentary body proposed by Mr. Bartholdt. We hope the proposition may be formulated into the great scheme of international government.

The second objection is from the judicial standpoint, and is that there is no executive power to enforce the judgments of the court.

The answer to this objection is that a wise court administering justice seldom needs a sheriff. Its decrees are obeyed without the use of force. This is peculiarly the case in international arbitration.

Mr. Carnegie tells us, in his introduction to his book entitled "Among the World's Peacemakers," that of five hundred and seventy-one international arbitration decisions since the year 1794 all but one were carried into effect, and the one that failed did not fail because of the lack of a sheriff to execute the judgments of the court, but because the arbitrators misunderstood the power conferred upon them by the arbitration convention. The judgment of a great international court will be obeyed, because it is to the interest of universal

justice, and justice is always a greater power than mere executive force.

The Supreme Court of the United States enforces its judgment in controversies between states, and they are obeyed without the aid of the President or his "Big Stick" [laughter and applause]. We hope, therefore, that the Hague Conference will establish a permanent tribunal of arbitration, where the great principles of international justice may be declared and administered for the benefit of mankind. With a permanent parliamentary body authorized to enlarge and amend the law of nations, a tribunal empowered to determine certain controversies between nations, the crushing weight of war will pass away and the Prince of Peace stand on the mountain top with a face radiant with celestial light.

## The Purposes of the Hague Conference.

BY HIS EXCELLENCY MR. NELIDOFF, RUSSIAN  
AMBASSADOR TO FRANCE.

*Opening Address as President, June 15, 1907.*

Allow me in the first place to perform the pleasing duty of expressing to you my deep gratitude at the honor which you have done me in agreeing to confide to me the direction of our labors. I well know that in graciously accepting the kind and flattering proposal of the Netherlands Minister for Foreign Affairs it was your intention to pay homage to the sovereign whom I have the honor to represent, to whose initiative the Peace Conferences are due, and to whom His Excellency M. van Tets has just alluded in terms that have deeply touched me. You also doubtless wished by your acquiescence to perform an act of deference towards the distinguished statesman who directs the foreign policy of The Netherlands, and whom I have the honor to number among my very old colleagues and friends. I believe, therefore, that I shall be responding to your unanimous sentiment in requesting Mr. van Tets to preserve his connection with the Conference by accepting the title of honorary president. I also propose to offer the vice-presidency of the Conference to the first Netherlands delegate, M. de Beaufort, during whose term of office as Minister for Foreign Affairs the first Conference in 1899 was held.

As to myself, it is not necessary to assure you that I shall do everything in my power to direct our labors in a manner calculated to render them as fruitful as possible. With this object in view, I shall always endeavor to preserve harmony among us in seeking points of contact and avoiding anything that may give rise to too marked divergences of opinion. I hope to be able to count upon your kindly coöperation and amiable indulgence to second the goodwill which I shall bring to my task.

But we have first of all to accomplish a respectful duty towards the most gracious sovereign of the country which offers us such a large measure of hospitality. I therefore ask you to authorize me, in the name of the Conference, to send the following telegram to the Queen of The Netherlands:

"The representatives of the forty-seven states assembled at The Hague for the second Peace Conference have the honor to lay at the feet of your Majesty the expression of their gratitude at the gracious welcome extended to them in the capital, and the homage of their respectful devotion."

In assuming the functions with which you have just

entrusted me, I believe it will not be necessary, after the eloquent words you have heard from the mouth of the Netherlands Minister for Foreign Affairs, to recall the circumstances which have led up to this second Peace Conference, or allude to the share taken in its convocation by the eminent chief of the great North American Confederation, whose generous impulses are always inspired by the most noble sentiments of justice and humanity. In seeing gathered here in one assembly the representatives of nearly every constituted state, I cannot but feel deeply moved. It is the first time that such a meeting has been held. It is a desire for peace that has led the different governments to send their most eminent men from all parts of the globe to discuss in common the most cherished interests of humanity, namely, conciliation and justice. May I venture to draw from this a happy augury for the progress of our labors, and express the hope that the spirit of harmony which has animated the various governments will also reign among their representatives, and thus contribute to the successful completion of the task which devolves upon us?

This task, as set forth in the program of the Conference accepted by all the powers, is divided into two parts. On the one hand, we have to seek a means of bringing about an amicable settlement of differences that may arise between different states and thus prevent ruptures and armed conflicts between them. On the other hand, we have to endeavor, in the event of war breaking out, to mitigate its onerous effects alike on the combatants as upon those indirectly affected.

These two problems may sometimes have appeared incompatible. During the war of secession in the United States, Professor Lieber drew up, I believe, instructions to the commanders of troops occupying hostile territory, and to the local authorities of the territory, with the object of lightening, for the benefit of both, the difficulties and responsibilities of that abnormal situation. I have heard the opinion expressed that it was an absolutely mistaken idea to seek to diminish the horrors of war. In order to ensure that wars shall be short and of rare occurrence, I am told, the nations engaged must be made to bear the whole burden thereof, so that they may be induced to put an end to hostilities at the earliest possible moment and be loath to recommence. This to me seems an absolutely specious opinion. The horrors of ancient struggles and of the wars of the Middle Ages neither diminished their duration nor their frequency, while the mitigation introduced during the second half of the past century into the conduct of wars, in the fate of prisoners and wounded, — in fact, all the series of humanitarian measures which do honor to the first Peace Conference and which must be completed by the work of the Conference which we are now inaugurating, — have in no way helped to develop a liking for war. On the contrary, they have spread throughout the whole civilized world a sentiment of international amenity and have created a pacific current, which we feel in the manifestations of sympathy with which public opinion has welcomed, and will, I hope, accompany our labors. We shall therefore have to follow in this respect the path opened by our predecessors in 1899.

As to the other portion of our task, that which deals with the means of preventing and avoiding conflicts between states, it would seem useless to dwell on the